

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

W.R. GRACE & CO., *et al.*,

Debtors

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Chapter 11

Case No. 01-01139 (JKF)
(Jointly Administered)

NOTICE OF SERVICE OF EXPERT WITNESS REPORT

Pursuant to the operative version of the Court's Second Amended Case Management Order Related to the First Amended Joint Plan of Reorganization, dated January 29, 2009 (Docket No. 20622), the Official Committee of Asbestos Personal Injury Claimants (ACC) hereby gives notice that the supplemental expert report of Dr. Mark A. Peterson was served by electronic mail and/or first class mail, as indicated, on the parties identified in the attached Certificate of Service. A copy of the report has also been filed with the Court. The report (or its attachments) sets forth a complete statement of all opinions to be expressed by the witness and the basis and reasons therefore; a list of the data or other information relied upon or considered by the witness in forming the opinions; the qualifications of the witness, including a list of all publications authored by the witness within the past 10 years, if any; and a listing of cases in which the witness has testified as an expert within the past four years.

The ACC believes that this expert report is relevant only to Phase II Confirmation Hearing issues. However, for the avoidance of doubt, to the extent that any of the matters addressed in this report is determined by the Court to be relevant to Phase I Confirmation Hearing issues this report is designated for Phase I as well.

The ACC also believes a Rule 26(a)(2) expert disclosure report from this witness may not have been required under the rules, given the prior reports and opinion testimony Dr. Peterson

has already provided to the Court and the ACC, including the Libby Claimants, at various points in time during the course of this case. See Fed. R. Civ. Pro. 26(a)(2), Advisory Committee Notes. However, to avoid any dispute about whether an expert report from Dr. Peterson is required, he has summarized his prior work in the case into a new report.

The ACC reserves the right to provide supplemental or rebuttal reports from Dr. Peterson or other experts in connection with Phase II proceedings to address any and all issues raised by parties who oppose confirmation of the First Amended Joint Plan of Reorganization. The ACC further reserves the right to provide expert reports from Dr. Peterson or other experts in connection with Phase I of the Confirmation Hearing, either as supplemental/rebuttal reports.

Date: March 16, 2009

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